

Amendments to the Claims

The listing of claims will replace all prior versions, and listings of claims in the application.

1. (cancelled).
2. (previously presented) The shoe sole according to claim 35, wherein said container encloses air.
3. (previously presented) The shoe sole according to claim 35, wherein said container encloses nitrogen.
4. (previously presented) The shoe sole according to claim 35, wherein said container encloses a gel.
5. (previously presented) The shoe sole according to claim 35, wherein a pressure within said container is at atmospheric pressure.
6. (previously presented) The shoe sole according to claim 35, wherein a pressure within said container is greater than atmospheric pressure.
7. (previously presented) The shoe sole according to claim 35, wherein said container is disposed in at least one of a forefoot portion and a heel portion of said sole.

8. (previously presented) The shoe sole according to claim 35, wherein said container includes a top component and a bottom component.

9. (previously presented) The shoe sole according to claim 8 wherein said top component comprises said top wall and said sidewall.

10. (cancelled).

11. (original) The shoe sole according to claim 8, wherein said top component and said bottom component are formed as a unitary structure.

12. (previously presented) The shoe sole according to claim 8, wherein said sidewall forms an exterior wall of said sole.

13.-23. (cancelled).

24. (previously presented) The shoe sole according to claim 35, wherein said foam core comprises a first piece of foam having a first density and a second piece of foam having a second density.

25. (previously presented) A shoe sole comprising:

 a hollow container made of a fluid-impermeable material, said container defining an enclosed space;

 a core disposed within said enclosed space including a first piece of foam having

a first density and a second piece of foam having a second density; and

a fluid system disposed within said container, wherein said fluid system further comprises:

a first compartment formed within said first piece of foam;

a second compartment formed within said second piece of foam;

a fluid conduit that fluidly connects said first compartment and said second compartment; and

a fluid disposed within said fluid system, wherein pressure applied to said container causes said fluid to flow within said fluid system.

26. (previously presented) The shoe sole according to claim 25, wherein said fluid system further includes multiple compartments in said first piece of foam in fluid communication with one another.

27. (previously presented) The shoe sole according to claim 25, wherein said fluid system further includes multiple compartments in said second piece of foam in fluid communication with one another.

28. (cancelled).

29. (previously presented) The article of footwear according to claim 39, wherein said hollow container includes a top wall, a bottom wall, and a sidewall extending from around a perimeter of said top wall to around a perimeter of said bottom wall.

30. (previously presented) The article of footwear according to claim 29, wherein said sidewall includes a plurality of ridges.

31.-34. (cancelled).

35. (currently amended) A shoe sole, comprising:

an upper surface and a ground engaging surface that is substantially opposite said sole from said upper surface:

a container, said container having a top wall having a first perimeter, a bottom wall having a second perimeter and a sidewall extending from around said first perimeter to around said second perimeter defining an enclosed space, wherein said bottom wall is closer to said ground contacting surface of said shoe sole than said top wall, wherein said sidewall includes a portion comprising a plurality of stepped ridges increasingly protruding from said top wall to said bottom wall and wherein each stepped ridge comprises at least one wall substantially perpendicular to said top wall; and

a foam core disposed within said enclosed space.

36. (previously presented) The shoe sole of claim 35, wherein said foam core and said container jointly define multiple compartments fluidly connected to one another via at least one fluid channel.

37. (previously presented) The shoe sole of claim 36 wherein said at least one channel is jointly defined by said container and said foam core.

38. (previously presented) The shoe sole of claim 37 wherein said compartments have a first depth measured from a surface of said foam core and said at least one channel has a second depth measured from said surface of said foam core, wherein said first depth is greater than said second depth.

39. (previously presented) An article of footwear, comprising:

an upper;
a sole attached to said upper;
a cushioning device positioned within said sole including a foam core disposed within a fluid-impermeable container, said container having a top wall, a bottom wall and a sidewall extending from a perimeter of said top wall to a perimeter of said bottom wall, wherein a plurality of compartments and at least one channel fluidly connecting said plurality of compartments are jointly defined by said foam core and one of said top wall and said bottom wall of said container.

40. (previously presented) The article of footwear of claim 39, wherein said compartments have a first depth and said at least one channel has a second depth, wherein said first and second depths are measured from one of a top surface of said foam core that is adjacent said top wall of said container and a bottom surface of said foam core that is adjacent said bottom wall of said container and wherein said first depth is greater than said second depth.

41. (previously presented) The article of footwear of claim 29, wherein at least a portion of said sidewall forms an exterior of said shoe sole.

42. (previously presented) The article of footwear of claim 35, wherein said foam core comprises a single piece of foam.

43. (previously presented): The article of footwear of claim 35, wherein said stepped ridge includes an first section, substantially perpendicular to said first wall, a second section substantially perpendicular to said first wall, and a ridge separating said first second and said second section.

44. (previously presented): The article of footwear of claim 43, wherein said ridge is a flat surface.

45. (previously presented): The article of footwear of claim 43, wherein said ridge includes a peak and a trough.

46. (previously presented): The article of footwear of claim 39, wherein said stepped ridges increasingly protrude from said top wall to said bottom wall.

47. (new): The shoe sole of claim 35, wherein said foam core includes at least one compartment.

48. (new): The shoe sole of claim 35, wherein said foam core includes a plurality of compartments connected by a fluid channel.

49. (new): The shoe sole of claim 35, wherein said foam core includes a top surface, a bottom surface and a side surface wherein a portion of said side surface includes a plurality of stepped ridges increasingly protruding from said top surface to said bottom surface.

50. (new): The shoe sole of claim 35, wherein said shoe sole further comprises an outsole defining said ground engaging surface, wherein said outsole is coupled to said bottom wall of said container.

51. (new): The shoe sole of claim 35, wherein said portion of said sidewall extends the entire surface of said sidewall.

52. (new): The shoe sole of claim 35, wherein said container is fluid impervious and at ambient pressure.